

03-06-07

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Flath et al.

Confirmation No.:

Serial No.: 10/582,256

Art Unit:

Filed: June 8, 2006

Examiner:

For: TAMPER RESISTANT CO-  
EXTRUDED DOSAGE FORM  
CONTAINING AN ACTIVE  
AGENT AND AN ADVERSE  
AGENT AND PROCESS OF  
MAKING SAME

Attorney Docket No: Y2428-00065

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed on February 26, 2007, a copy of which is enclosed, applicants submit herewith a Declaration and Power of Attorney which has been executed by the inventors.

The fees due for the submission of this response are believed to be \$330.00 which includes a \$130.00 surcharge fee for the Response to the Notification of Missing Requirements, plus a \$200.00 application examination fee. Please charge any and all required fees to Duane Morris LLP Deposit Account No. 04-1679. A copy of this sheet is enclosed.

Respectfully submitted,

Date: March 5, 2007

  
\_\_\_\_\_  
Ian Scott

44,327  
(Reg. No.)

**DUANE MORRIS LLP**  
380 Lexington Avenue  
New York, New York 10168  
(212) 692-1000

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/582,256	Euro-Celtique S.A.	Y242800065

INTERNATIONAL APPLICATION NO.

PCT/US04/41154

I.A. FILING DATE

12/08/2004

PRIORITY DATE

12/09/2003

42109  
 DUANE MORRIS LLP  
 PATENT DEPARTMENT  
 380 LEXINGTON AVENUE  
 NEW YORK, NY 10168-0002

CONFIRMATION NO. 1267

371 FORMALITIES LETTER



\*OC000000022616202\*

Date Mailed: 02/26/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/09/2006
- Copy of the International Search Report filed on 06/09/2006
- Oath or Declaration filed on 06/09/2006
- Request for Immediate Examination filed on 06/09/2006
- U.S. Basic National Fees filed on 06/09/2006
- Priority Documents filed on 06/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$330 for a Large Entity:

- \$130 Surcharge.

DUANE MORRIS LLP  
 RE: Y2428-065  
 Action Date: 4-26-07  
 Attention: Not taken resp. to missing parts  
 DSD on: 3-5-07

- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/582,256	PCT/US04/41154	Y242800065